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September 22, 2022

**Via ECF and Email**

Hon. Edgardo Ramos  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

Re: **Rachel Weingeist v. Tropix Media & Entertainment, et al.**  
**Civil Action No.: 1:20-CV-00275-ER-SLC**

Dear Judge Ramos:

This firm represents Third-Party Defendant Pickled Punk Sublease LLC (“Pickled Punk”) in the above-referenced action. This is the joint report in response to your Honor’s Memo Endorsed Order (Doc. No. 123) regarding the potential consolidation of the instant action with the matter captioned “*Jauretsi Saizarbitoria v. Tropix, Inc. et al.*” Case No.: 1:22-cv-03297-ER.

Pickled Punk, Plaintiff and Third-Party Defendant Rachel Weingeist and Third-Party Defendant Perera & Company LLC all oppose consolidation. Defendants and Third-Party Plaintiffs are in favor of consolidation and have suggested that the parties consider a briefing schedule for a motion to consolidate. Pickled Punk is presently considering a motion to dismiss the Third-Party Complaint and is opposed to any briefing schedule on a motion to consolidate before September 30, 2022, the present deadline for Pickled Punk to respond to the Third-Party Complaint. Defendants and Third-Party Plaintiffs consents to the deferral of the establishment of any briefing schedule on a motion to consolidate, but takes the position that the Court should consider any motion to consolidate prior to consideration of a potential motion to dismiss by Pickled Punk. Pickled Punk does not agree with this position by Defendants and Third-Party Plaintiffs.

Plaintiff and Third-Party Defendant Rachel Weingeist and Third-Party Defendant Perera & Company LLC also oppose any briefing schedule on a motion to consolidate before September 30, 2022, and intend to file an application for a default judgment in the *Saizarbitoria* action prior to that date.

Respectfully submitted,

Steven J. Cohen

cc: All Counsel of Record